

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/23/08

MOTHER ZION TENANT ASSOCIATION,
DEBORAH TAYLOR LOW and GAIL WILDER,

08 Civ. 2937 (MGC)(HBP)

Plaintiffs,

STIPULATION OF
SETTLEMENT AND
DISMISSAL

-against-

ALPHONSO JACKSON, in his capacity as the
Secretary for the UNITED STATES DEPARTMENT
OF HOUSING & URBAN DEVELOPMENT;
the UNITED STATES DEPARTMENT OF
HOUSING & URBAN DEVELOPMENT;
and MOTHER ZION ASSOCIATES, L.P.;

Defendants.

WHEREAS, on or about March 20, 2008, plaintiffs filed this action seeking to compel defendants, the UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") and Secretary Alphonso Jackson (together with HUD, the "HUD Defendants") and MOTHER ZION ASSOCIATES, L.P. (the "Building Owner") to renew the project-based Section 8 Housing Assistance Payments contract for the Mother Zion-McMurray Apartments (the "Mother Zion HAP Contract"); and

WHEREAS, HUD and the Building Owner have agreed to a renewal of the Mother Zion HAP Contract, such that that contract will expire on June 30, 2008;

IT IS HEREBY STIPULATED AND AGREED BY THE PARTIES HEREIN THAT:

1. In consideration for the plaintiffs' discontinuance of this action, the Building Owner will not seek to terminate the Mother Zion HAP Contract for any reason prior to that contract's June 30, 2008 expiration date.

2. Plaintiffs agree that they will not seek to compel defendants to renew the Mother Zion HAP Contract beyond June 30, 2008.

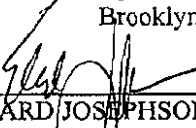
3. The parties agree to cooperate in good faith to facilitate the timely issuance of tenant-based Section 8 subsidies to the tenants at the Mother Zion-McMurray Apartments.

4. Nothing in this agreement shall preclude HUD and the Building Owner from further renewing the Mother Zion HAP Contract beyond June 30, 2008.


5. Based on the above provisions, plaintiffs discontinue this action against all defendants with prejudice, without cost or fees to any party.

6. The parties understand and agree that this Stipulation contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

Dated: April 17, 2008
Brooklyn, New York

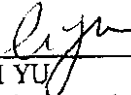
By: 
EDWARD JOSEPHSON
Director of Litigation
South Brooklyn Legal Services
105 Court Street
Brooklyn, NY 11201
Tel: (718) 237-5538
Fax: (718) 855-0733
Attorney for Plaintiffs

Dated: April 17, 2008
New York, New York

By: 
ALLEN J. BODNER
45 Broadway, 25th Floor
New York, New York 10007
Tel: (212) 413-8443
Fax: (212) 742-2626
Attorney for the Building Owner

Dated: April 17, 2008
New York, New York

MICHAEL J. GARCIA
United States Attorney

By: 
LI YU
Assistant United States Attorney
86 Chambers Street
New York, New York 10007
Tel: (212) 637-2734
Fax: (212) 637-2686
Attorney for the HUD Defendants

So ordered:

United States District Judge
April 22, 2008